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## THE COMMONWEALTH.

From the Cincinnati Gazette.

**Speech of the Hon. Wm. H. Wadsworth, of Mayville, before the Opposition State Convention, at Frankfort, Ky., February 22, 1860.**

Gentlemen of the Convention—I feel wholly unable to express the thanks that are due from me for the honor you have conferred upon me to day. I don't know why you did it. A stranger to the most of you—all unknown to fame, at least with other reputation than that of "a plain, blunt man," whose whole soul was in that system of Kentucky politics which you have condemned, illustrated and abominated by your dead, as well as your living, peers and statesmen. Kentucky Whigerry and Kentucky Conservatism. I don't know unless it be on these grounds, why you have elected me to carry your flag in the contest that is to come this Summer.

But the reason what it may, I am induced to hope and believe, that so far at least as the election of myself is concerned, I may sugar favorably for the cause of the people. I conclude the Opposition of Kentucky have resolved to take the work into their own hands, and that they, with uncommon ardor, and unusual zeal in tend to support the humble standard bearer whom they have elected to do battle for the principles upon which they have this day planted themselves.

I am the more reconciled to this appointment, and am the more deeply grateful for and flattered by it, when I recollect the men from whom it has come. When I consider that you are a beaten party—that even in the days of your glory, when your great statesman himself grasped your flag in his hand, you went down, time and again, before the cohorts of Democracy, and that before and since his death, defea... was and ever has been unable to decrease the fervor of your patriotism or damp the ardor of your courage, I am the prouder to have received such an honor at your hands. (Loud applause.)

When I consider that you have no convenient Executive, holding the patronage of an hundred millions a year, and a hundred thousand offices to parcel out amongst his pretorian followers, that there are none of these incentives to invite you from your distant homes, to assemble here in such numbers to consult for the public weal, I am the prouder to be your standard bearer. I know that nothing but your devotion to the Constitution and your love of the Union could have brought you here, since those great incentives to a stirring political contest were wanting.

You have done a good work to day, my countrymen, in the stand you have taken, and in the principles you have promulgated—a work that I trust, will bear rich fruits—a work of peace, of love, of patriotism—a work that may be instrumental, at least, in reconciling the people of our common country once more—a work worthy of the past fame of Kentucky as the home of conservatism, and as the most deeply devoted of all the sisterhood of States to this Union. I can stand upon that platform. I can give it my most hearty concurrence; it is a platform so just; so in accordance with the constitution and the laws; so necessary in view of past and transpiring events, that I know not how any party in all the land can refuse its support.

Your platform starts out with declaring your adhesion and devotion to the Constitution as expounded by the great tribunal appointed by the instrument itself. It seems to me there is no man so base as to refuse his adherence to that principle. There are men indeed, who contend that there is a higher law than the Constitution; wild and crazy men are these who say there is a higher law than the constitution, and who detect some fancied antagonism between the constitution of their country and the great moral principles which the Creator of the Universe has established. They are few in numbers as they are contemptible in every respect. The great body of the people believe that this Government rests upon the moral law declared by revelation and approved by reason, and that it is the wisest ever devised by man; the great body of the people yield, and will readily yield obedience to the Constitution and the laws.

You advance the proposition that you will adhere to the advice given you by "the Father of his country" in his parting address. You say you will be governed by Washington's farewell address and that principle therein indicated. That is a platform broad enough for all this nation to stand upon in this hour of treason and of danger. Every American citizen will take to heart the principles of that Patriot as written for his guidance, this noise of sectional controversy will be bushed, and people that now frown on the one at the other across an imaginary line, will be drawn together in the embrace of brotherhood.

You declare that the institution of slavery in States where it exists must not be molested; that you will defend it by all the sanctions of law, of morals and of physical force. I do not understand that any party except the very extremes of the Abolitionists avow an intent to touch it in such States. I understand all the Republicans, those who follow Seward, and those who follow Corwin—to say that they do not seek to interfere with it in the States.

Again, you declare the fugitive slave law must be enforced. I understand the Republicans, many of them, are willing to enforce it; I understand Abraham Lincoln to have declared during his contest with Douglas, that if he were elected a Senator of the U. S. he would feel bound by his oath of office to maintain the fugitive slave law; and that even if there were none in existence it would be his bounden duty to give us such a law to return our fugitive, else he would be a perfused man. I understand Curwin and others to have said the same, because they find it in the Constitution that fugitives shall be returned to their masters. (Loud applause.)

You have again declared that you adhere to the principles settled in the compromise measures of 1850; that you do not believe the inhabitants of a territory have an inherent right of self-government derived from Almighty God, or from any other less sacred source; that you believe they have no right of government except such as is conferred upon them by the representatives of the people of these States to whom the territory belongs, and in whom its sovereignty exists. You recognize, however, the right of the people of a territory, when they come to form a State Constitution, to settle their domestic institutions, of whatever character, for themselves, denying it only in the intermediate state of territorial existence. In other words you denounce the odious and contemptible principle of "Southern Sovereignty." (Cries of "good," and loud applause.) Who disagrees with us on this point? What party North or South disagrees with us on that point? If there be any such party in the world it is the Democratic party. (Applause.)

It is certain that the followers of the Illinoisan disagree with us on that point, but I believe all the balance of the people of the United States are agreed with us that this right of the inhabitants of a territory derived from Almighty God or elsewhere; this inherent right of self-government, is a fallacy and a monstrosity.

You have also declared here, in the face of the people of Kentucky, and of the United States, that you are opposed to the re-opening of the African Slave trade. Such a declaration was due from you. It is a living issue. The African Slave trade has, in fact, been re-opened; cargoes of Africans, freshly imported, have been landed upon our shores, and the men who have been guilty of the acts once declared a piracy, have been "nowwhipped of justice." Large numbers of Southerners sanc... this violation of an express act of Congress, and strangely enough, those very men who say all that there is in the enforcement of the laws and the observance of the Constitution, have themselves committed a great and damning example of defiance to law. (Applause.)

This traffic is not only sustained by exceptional advocates, but the most distinguished statesmen of the South in the Democratic party, have lent the sanction of their approval; and I understand that a man of genius; a man who once sat at the feet of Henry Clay; a man upon whom we built bright hopes for his country's good; even

Stephens, of Georgia has lent himself to the infamous scheme. It is, therefore, no idle declamation that comes from the people of Kentucky. The times demand it.

But there, are the points of difference that are to keep the people of the South and the people of the North from once more, in the spirit of concord and brotherly love attending to their own neglected affairs and taking in charge this great experiment of self-government that they may in the fashion of the olden time elect Presidents, organize Cabinets and fill the great offices from amongst the honest, the competent and the patriotic.

What remains? Why our Northern brethren contend that if we should acquire territory here after, or if there be any territory now to be organized, they have the right, and it will be their policy, to apply to those Territories the Missouri restriction or the Wilmot proviso. They claim they have the right to restrict slavery in the Territories, to dedicate all future States to free labor. Well, if that is a living issue, let us examine it. What territory now can be the subject of the power? Kansas is ready to be admitted in to the Union; it may be the pleasure of Congress to admit Kansas this winter; I know not whether they will enforce the provisions of the English bill, but it is evident to every man of the least observation, that Kansas must inevitably come into the Union in a short space of time with a free State constitution. All the other Territories of the country are organized. Under the happy act of 1850. New Mexico and Utah have been organized. Oregon has become a State, and the provisions of the Wilmot Proviso apply to Washington Territory. To what Territory can this principle be applied? I know of none. Perhaps if it be the destiny of this country to pursue a career of conquest; if it be that this great Anglo-Saxon people are to travel all over the Continent of America, this principle may be of great significance; but I ask you if it is of such importance as to justify us in going on in a course of conduct in the present, which will lead to the separation of the States?

I know that I can advance nothing which new to the gentlemen who hear me; I know that I speak to many men who could teach me, and whom I trust will be but too glad to learn. I wish they stood here to teach me! I sat among you to listen and to learn; but it is not so, and may speak. Look at our present situation; look at the causes that have brought us to our present situation; examining them and see if those causes are permanent or temporary; let us see if action of ours can remove those causes, let us see if there be not an "irrepressible conflict" between slave and free labor, (which I say does not exist)—but an "irrepressible conflict" between the two states of civilization or society; that it is impossible for mortal man to settle or prevent.

Permit me briefly to run over the subject. The conflict began with the formation of the government.

Why, it is laid down in the Constitution that the slave trade, which was once a common occupation, should no longer be prosecuted after twenty years, or rather, that your Congress might prohibit it after twenty years. A conflict began there. All the States were then slaveholding States. In 1878 the ordinance was passed that dedicated the N. W. Territory to free labor. The conflict was then in progress. In 1820 upon the application of Missouri for admission into the Union, the conflict assumed a definite form and shape and shook the foundations of this Union. It was settled by a compromise; but in 1833—4, the people of the Northern States sympathizing with those movements set foot in Europe founded in a hatred of the institution, or in the belief that it was a moral, social and political evil, began the conflict then. And who late were singing the praises of Whigerry in the ranks of the Opposition! What took them there? They said they must save their country—go for Buchanan to beat Fremont; that the election of Fremont would be a dissolution of the Union, and the only party able to save the country was the Democratic. That was their excuse for voting with the party they had condemned from their youth up, even, us I thank God I contemn it to day. (Applause.) Scarcey were they now seated before they began to praise of their Jacksonian Democracy, to rail at Banks and Tariffs, and sing Democratic songs as if they had been choir masters in that church from the beginning (Laughter and applause.)

The party that takes that position is necessarily a corrupting party. The men that have deserted it under the pressure of either the danger or the panic created, must be secured in their allegiance when the excitement subsides. They are immediately promoted—high and lucrative office is bestowed upon them; charmed with the profitable employment of saving their country in the Democratic party, they swallow down their life long political convictions, become the most zealous advocates and defenders of their new party, and the most bitter and unrelenting persecutors of the old. Their zeal is conspicuous on all mere party occasions and is used to increase the power of that party.

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# THE COMMONWEALTH.

FRANKFORT.

THOMAS M. GREEN, Editor.

WEDNESDAY, MARCH 14, 1860.

In another column we publish the speech of W. H. Wadsworth, Esq., before the 23d of February Convention. The speech has been revised by the author, and must therefore be correct. We owe an apology to our readers for not having published it long ago, but the pressure of the Legislative report just to our excuse. We publish it now to the exclusion of other matter. It is a speech of masterly ability, and does credit to the author. Mr. Wadsworth will do gallant service to the cause of the Opposition in his canvass of the State.

The communication of Chancellor Logan, declining to comply with the provision of the Louisville Police bill, which makes it his duty to appoint Police Commissioners for that city, will be found in to-day's paper. Judge Logan's refusal to act is caused by his opinion that the act is unconstitutional in many of its provisions. His communication is a careful and searching analysis of the practical absurdities of this most iniquitous measure, and will be read with great interest.

**WAGON'S MIRROR OF ITALY.**—The hour at which we go to press prevents us from giving a notice of this beautiful work of art from actual observation. It was exhibited in our city for the first time last night. The exhibition continues to-night and to-morrow night. We give below the opinion of it by a gentleman who has seen it and who is well qualified to speak of its merits. We advise our friends who have not seen it to go to night Hon. JOHN NEAL, the celebrated poet and author, says.

**ITALY.**—*Mr. Editor:* The most beautiful Panorama of the most beautiful country in the world being on exhibition at Lancaster Hall, I was induced to visit it last evening, and found it grand beyond description. There are scenes in this panorama, to which words can do no justice. The glorious coloring of earth and sky, the wondrous blending of tints, which makes an Italian sunset so beautiful, must be seen to be appreciated. Through two hundred chosen views—through Northern, Southern and Central Italy, from Como on through Venice—the spectator is led by mule chariot to St. Peter's, to Naples and Vesuvius. These scenes are so finely finished, that I learn they are frequently exhibited by day light, and will bear the closest scrutiny with an opera-glass. Who would not desire to visit in person that lovely land—

"Too beautiful for tyrant's rule,  
Too proud for handmaid's duty;  
Would thou hast less of loveliness,  
Or strength as well as beauty."

The land of Caesar, of the Popes, of the great masters of modern art; the land of Shakespeare, Oway's Goethe's and Byron's inspiration! It is, alas, too far away for all who would fain visit it; but here, to the very life, we may see it presented at our own doors, and travel it from end to end, with a well-versed guide, who will not tire of our company. The lecture by the gentlemanly proprietor is well delivered, and of itself worth more than the small sum charged at the door; and the orderly and pleasing manner in which the entertainment is put upon the stage and conducted, adds much to its character and interest. I am glad to learn that the Mirror is to exhibit for a few days longer, and would recommend all lovers of the beautiful to see it.

JOHN NEAL.  
Portland, Maine, Nov. 5, 1858.

**DEATH OF MAJOR BARTON.**—Maj. William Barton died at his residence in Bourbon county, on the 25th inst., in the 77th year of his age. He was born in New Jersey, but came to Kentucky with his father when but five years of age. He has lived upon the farm upon which he died ever since the year 1788. In 1812 he volunteered as a private in Capt. Garrard's troop of light horse, and served with distinction during the term of his enlistment. Twice during the campaign it was his fortune to encounter an Indian in single combat, and in both instances the savage fell by his hand. In one of them, as the enemy was in the act of hurling his tomahawk, he rushed upon him, and, rising in his stirrups, brought down his sabre with one sweep of his strong right arm, cleaving the head of the painted savage through to the chin.

**THE LOSS OF THE HUNGARIAN.**—Halifax papers of March 2d state that a numerous corps of divers had reached the wrecks of the Hungarian, whose investigations may lead to some important discoveries in regard to the loss of that vessel and the bodies of her passengers and crew. The Halifax Journal says: "From what we can learn in regard to the position of the wrecked vessel when last seen, she must have struck about midnight, when all but the watch on board were in their beds, and thus, probably, they perished."

**C. LOVELL II. ROOSEAU,** Esq., has received the nomination of the Opposition party of Louisville for the unexpired term of the Senatorship made vacant by the death of Hon. John G. Lyons.

JOHN W. BARR, Esq., declines the Democratic nomination for the same position.

From the Louisville Journal.

**The Police Bill.—Letter from Chancellor Logan.**

The third section of an Act approved February 19, 1860, "to provide a more efficient Police Department in the City of Louisville," provides that the Chancellor of the Louisville Chancery Court shall, within twenty days after the passage of the act, appoint two disinterested persons, qualified voters of said city, as members of a Police Board for said city, and may remove them at any time and appoint others, or fill vacancies occurring by death, resignation, or otherwise, who before entering upon their duties shall make oath faithfully and impartially to discharge the duties of their office: Provided, however, that the Mayor of said city shall belong to the Democratic party, the said appointment shall be of the opposite political party; and when the said Mayor shall belong to a party in opposition to the Democratic party, the said appointment shall be removed often as may be necessary to carry out this provision. And provided further that if the said Chancellor should fail to make said appointments within twenty days from the passage of this act, all the powers hereby conferred upon him shall be exercised by the Governor, &c., &c.

The fourth section of the act provides that the Mayor of said city *ex officio*, and the said appointees of the Chancellor or Governor, shall form a Police Board, and that they shall meet at such times and places as they may determine, and any two of them may act in any case and discharge any duty of the board.

And by reference to sections 2, 5, 7, 8, 11, 12, and 13, of the act, it will be seen that the powers conferred, and the duties enjoined, upon the two officers, whom the Chancellor directed to appoint, are of an important, responsible and

permanent nature—and that they are partly *executive* and partly *judicial* in their character.

For, after the second Saturday, in May, 1861, and in every second year thereafter, the Mayor, with the advice and consent of said two members, is required to appoint a Chief of Police for the term of two years—and, with their advice and consent he is immediately authorized to appoint any number of supernumerary watchmen for a term not exceeding two years, and he is authorized to fill vacancies in the offices of Chief of Police and of supernumerary watchmen.

And the Board are authorized to approve or reject the bonds which the various officers elected or appointed under the act are required to give, and a failure by any one of the officers, for seven days after his election or appointment, to give such a bond as the Board will approve, operates to vacate the office; and the vacancy thus made is to be filled as other vacancies are to be filled.

And the Board are authorized to employ a clerk, upon a salary, to keep a record of their proceedings—and they are not only authorized to summon and attach witnesses, and try, and remove or suspend from office the Chief of Police or his assistants (who are appointed to office by said Board)—but they are authorized to try any watchman or any other member of the Police force, now or hereafter filling office, (though elected thereby by the people,) and to remove or suspend them from office. And it is provided that the pay of any removed or suspended officer shall cease immediately after his removal or suspension.

This important *judicial* and *executive* powers to be exercised in future in reference to the Chief of Police, and the watchmen of the several wards in the City of Louisville, are by this act jointly conferred upon the Mayor, (who is elected for a term by the people) and upon the two associate "discreet persons"—qualified voters of the city—who by the act are neither to be elected for a "term" by the people nor appointed for a "term" by the Chancellor.

Touching these two "discreet persons," the act simply provides that the Chancellor shall appoint them as members of a Police Board, and may REMOVE THEM AT ANY TIME AND APPOINT OTHERS, OR FILL VACANCIES ACCORDING TO HIS DISCRETION, OR RESIGNATION, OR REMOVAL; WHEREIN THE Mayor of said city shall belong to the Democratic party, the said appointees shall belong to the opposite political party, and, when the said Mayor shall belong to the party in opposition to the Democratic party, the said appointees shall be of the Democratic party; and said APPOINTEES SHALL BE REMOVED AS OFTEN AS MAY BE NECESSARY TO CARRY OUT THIS PROVISION.

It is evident, then, from the act that one of the official qualifications prescribed for said two judicial and executive officers is that they must be Democrats if the Mayor belongs to the Opposition party, and that they must be of the opposite political party if the Mayor belongs to the Democratic party; and not only so, but it is also necessary, as a qualification for office, that they should continue to be Democrats if the Mayor be of opposite politics, or continue to be of opposite politics if the Mayor is a Democrat. For, if the two "discreet" officers should at any time abandon their political party and join the Mayor's party, or if the Mayor should desert his party and join the party of his two associates, the result, in either case, would be to disqualify the two associates for their judicial and executive duties.

So that their tenure of office may at any time be broken either by their own change of opinion or by the Mayor's change of opinion.

But their tenure of office is even more frail than that. For even though they should manage to preserve a constant antagonism in politics between themselves and the Mayor by changing whenever the Mayor changes, and not changing unless the Mayor changes, they may still be removed at any time by the Chancellor.

For the two officers upon the Chancellor absolute and arbitrary power to remove them at any time. It is plain therefore that they are mere tools at will of the appointing power, and that they are not elected or appointed for a term nor during good behavior.

Now the question is, whether the act requiring the Chancellor to appoint said two associate officers—with such powers as are conferred upon officers—will stand as constitutional law.

This question must be determined before I can exercise the power attempted to be given. With the mere policy of the law I have of course nothing whatever to do. And it behoves me to be very cautious in pronouncing an act of the Legislature to be unconstitutional.

But I am constrained to the conclusion that the act approved February 29th, 1860, so far as it directs the Chancellor of the Louisville Chancery Court to appoint, upon the terms there-in prescribed, the two associate members of the Police Board for the city of Louisville, is contrary to the letter, spirit, and fundamental principles of the constitution.

It seems to me that whether the two associate officers be regarded as judicial, or executive, or ministerial officers; or whether they be regarded as city officers, county officers, or State officers, it was not competent for the Legislature to vest in the Chancellor of the Louisville Chancery Court the power of appointing them during the continuance of a political antagonism between them and the Mayor, and without prescribing any fixed term to their office.

One of the most striking features of the new Constitution is, that it prescribes a "term" for every permanent officer designated in the instrument; and even in reference to officers for towns and cities, and counties and districts not specially named, and inferior State officers not specially provided for, the instrument expressly directs that they shall be elected or appointed for definite "terms."

Thus article 6, section 6, says that "officers for towns and cities shall be elected for such terms and in such manner, and with such qualifications as may be prescribed by law."

And section 10, of the same article, says that "the General Assembly may provide for the election or appointment for a term not exceeding four years, of such other county or district ministerial and executive officers as shall from time to time be necessary and proper."

And article 3, section 25, says that "inferior officers, not specially provided for in this Constitution, may be appointed or elected in such manner as shall be prescribed by law, for a term not exceeding four years."

And article 6, section 11, says that "all civil officers for the Commonwealth at large shall reside within the State, and all districts, county, or town officers within their respective districts, or towns, (trustees of town excepted)—and shall keep their offices at such places therein as may be prescribed by law."

And article 13, section 28, says "that the General Assembly shall not create any office the appointment to which shall be for a longer time than for a term of years"—thus changing the provision of the old Constitution which prohibited the General Assembly from creating any office, the appointment to which should be for a longer time than during good behavior.

Now it seems to me that the two associate officers who are to act with the Mayor are invested with judicial as well as executive power, and needs no recommendation by me, will use their instruments. My motto is, "watch salts and small profits."

There are no formal Parties and Weddings on as short or as good terms as the next one.

T. P. PIERSON, Esq., of Frankfort, has received a copy of the new Constitution, and desires to have it read to him.

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